

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
HAROLD J. WARREN, JR.,

Civil Action #: 05 CV 8905

**JURY DEMAND**

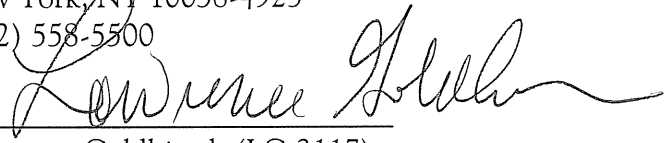
Plaintiff,

-against-

BERKSHIRE LIFE INSURANCE AGENCY, INC.,  
and UNUMPROVIDENT CORPORATION,  
-----X

**PLEASE TAKE NOTICE** that plaintiff demands a trial by jury.

WEITZ & LUXENBERG, PC  
Attorney for Plaintiff  
180 Maiden Lane  
New York, NY 10038-4925  
(212) 558-5500

By:   
Lawrence Goldhirsch (LG-2117)

TO:

WHITE & WILLIAMS LLP  
Attorneys for defendant  
UNUM PROVIDENT CORPORATION  
The Atrium  
East 80 Route 4  
Paramus, NJ 07652  
(201)368-7200  
Attn.: ROBERT T. PINDULIC, ESQ.

WINDELS MARX LANE & MITTENDORF, LLP  
Attorney for defendant  
BERKSHIRE LIFE INSURANCE AGENCY INC.  
156 West 56<sup>th</sup> Street  
New York, NY 10019  
(212)237-1000  
Attn.: ROBERT D. MERCURIO, ESQ.

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK        )  
  ) ss  
COUNTY OF NEW YORK    )

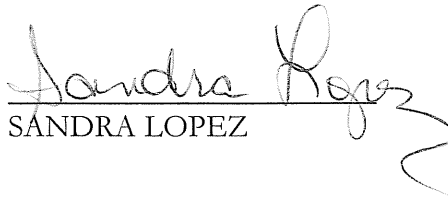
I, SANDRA LOPEZ, being duly sworn, deposes and says that I reside in Bronx, New York, am over the age of eighteen and not a party to this action.

That on October 25, 2005, deponent served the within JURY DEMAND:

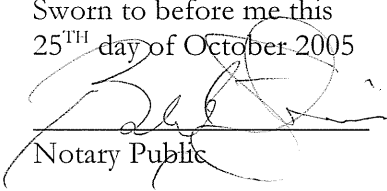
WHITE & WILLIAMS LLP  
Attorneys for defendant  
UNUM PROVIDENT CORPORATION  
The Atrium  
East 80 Route 4  
Paramus, NJ 07652  
(201)368-7200  
Attn.: ROBERT T. PINDULIC, ESQ.

WINDELS MARX LANE & MITTENDORF, LLP  
Attorney for defendant  
BERKSHIRE LIFE INSURANCE AGENCY INC.  
156 West 56<sup>th</sup> Street  
New York, NY 10019  
(212)237-1000  
Attn.: ROBERT D. MERCURIO, ESQ.

at the address designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a post-paid properly addressed wrapper, in an envelope under the exclusive care and custody of the United States Postal Service via REGULAR MAIL.

  
SANDRA LOPEZ

Sworn to before me this  
25<sup>TH</sup> day of October 2005

  
Notary Public

BRENDA I. AGOSTINI  
Notary Public, State of New York  
#03-01AG5025761, Qual. Bronx Co.  
Commission Expires April 4, 2006

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
HAROLD J. WARREN, JR.,

Civil Action #: 05 CV 8905

Plaintiff,

-against-

BERKSHIRE LIFE INSURANCE AGENCY, INC.,  
and UNUMPROVIDENT CORPORATION,  
-----X

Defendants

=====

JURY DEMAND

=====

WEITZ & LUXENBERG, PC  
Attorneys for Plaintiff  
180 Maiden Lane, 17<sup>th</sup> floor  
New York, NY 10038-4925  
(212) 558-5500